

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

THE GREEN ROOM SOUL FOOD
STEAKHOUSE, LLC, et al.,

Plaintiffs,

v.

BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF OKLAHOMA,

Defendant.

Case No. CIV-20-1130-J

ORDER

The parties have briefed Defendant's motion to dismiss which, in relevant part, argues Plaintiffs lack standing to challenge the distribution of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds. As Plaintiffs note in their Response, after this action was filed, Oklahoma County released CARES Act funds to small businesses. [Doc. No. 22 at 4]. Because of the high demand, Oklahoma County has since stopped taking applications. *See <https://www.okcounttygrants.org/>* (last accessed December 4, 2020).

Plaintiff Green Room Soul Food Steakhouse, LLC (Green Room), and Defendant if the information is available to it, shall inform the Court as to whether Green Room applied for CARES Act funds, and if so, whether its request was granted or denied. If an application was made and granted, the parties shall address whether Green Room's claims involving CARES funds distribution are now moot. If an application was made and denied, the parties shall explain why it was denied, if known.

Additionally, both parties shall address whether Green Room is/was eligible for CARES funds. That is, in relevant part, the CARES Act appears to provide relief to small businesses in

operation on or before February 15, 2020¹ and the Court judicially notices that Green Room was not incorporated until March 12, 2020.²

The parties shall file simultaneous briefs addressing and/or clarifying these issues on or before December 9, 2020. Briefs are limited to five pages.

IT IS SO ORDERED this 4th day of December, 2020.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE

¹ See <https://www.okcountygrants.org/> (noting that to be eligible to apply for CARES Act funds, the small business “must have been open prior to February 15, 2020 in a physical location within Oklahoma County limits but NOT within the City of Oklahoma City limits”) (last accessed December 4, 2020).

² See Oklahoma Secretary of State, [https://www.sos.ok.gov/\(S\(hfi1b155qdirny45spxepd45\)\)/corp/corpInformation.aspx?id=3512825452](https://www.sos.ok.gov/(S(hfi1b155qdirny45spxepd45))/corp/corpInformation.aspx?id=3512825452) (last accessed December 3, 2020).